

PART III - CODE OF ORDINANCES
Chapter 68 – LANDSCAPING

CITY OF RICHMOND HILL

STATE OF GEORGIA

Ordinance No. ____

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF RICHMOND HILL, GEORGIA AMENDING PART III OF THE RICHMOND HILL CODE OF ORDINANCE FOR THE ADDITON OF CHAPTER 68; "LANDSCAPING ORDINANCE"; PROVIDING FOR AN EFFECTIVE DATE; REPEALING CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

Section 1. It is hereby ordained by the Mayor and Council of the City of Richmond Hill that Part III of the Richmond Hill Code of Ordinances be amended by adding the following:

Chapter 68 - Landscaping

ARTICLE I. - PREAMBLE

Sec. 68-1. - Short title.

This chapter shall be known and cited as the City of Richmond Hill Landscape Ordinance. Should this Chapter conflict with any other city ordinance the more stringent shall apply.

Sec. 68-2. - Purpose and intent.

The City of Richmond Hill deems it necessary and desirable in the interest of public health, safety and welfare to enact a Landscaping Ordinance to be included and codified in the Richmond Hill Code of Ordinances. The plan calls for the conservation, planting and replacement of trees, shrubs and groundcover without denying the reasonable use and enjoyment of real property. The importance of plant material is recognized by the City for their contribution to shade, cooling, noise and wind reduction, soil erosion prevention, oxygen production, dust filtration, carbon dioxide absorption, aesthetic and economic enhancement of all real property, and their contribution to the general well-being and quality of life of the citizens of Richmond Hill.

PART III - CODE OF ORDINANCES

Chapter 68 – LANDSCAPING

ARTICLE II. - GENERAL PROVISIONS

Sec. 68-21. - Matters regulated.

This chapter governs and regulates the following activities within the city:

- (1) All non-residential (industrial, commercial, etc.) and multifamily residential construction on lands within the city which on the effective date of this chapter requires a site development permit, as set forth below.
- (2) Street Yard Buffers for single family residential developments and properties under silviculture (timber production).
- (3) The perpetual maintenance of any common area or similar area built on or after the effective date hereof.

Sec. 68-22. - Applicability.

- (1) The developmental regulations and maintenance regulations provisions of this chapter shall apply in all areas of the city except:
 - a. Those lands within the city limits which, on the effective date hereof, have a pending or completed application for approval for residential subdivision or the building of improvements on such lands in compliance with the zoning ordinances of the city as they exist on the date of such application, provided that said proposed improvements are built and completed within the time allowed under such pending or completed applications.
 - b. Those lands which may in the future be annexed into the city, and on the effective date of such annexation, are improved by the building of a building or other structure, or have received final approval for residential subdivision, in compliance with the zoning ordinances of the jurisdiction from which they are annexed as they exist on the date of annexation.
 - c. Those lands which are within a PD district that have landscape and buffer requirements defined within the documents associated with the PD.
- (2) The maintenance regulations provisions of this chapter shall apply in all areas of the city except:
 - a. Those lands within the city limits which, on the effective date hereof, have a pending or completed application for approval for residential subdivision or the building of improvements on such lands in compliance with the zoning ordinances of the city as they exist on the date of such application, provided that said proposed improvements are built and completed within the time allowed under such pending or completed applications.
 - b. Those lands which may in the future be annexed into the city, and on the effective date of such annexation, are improved by the building of a building or other structure, or have received final approval for residential subdivision, in compliance with the zoning ordinances of the jurisdiction from which they are annexed as they exist on the date of annexation.

Sec. 68-23. - Definitions.

For the purposes of this chapter, certain words or terms shall be defined as follows. Words not defined in this section shall be interpreted so as to give them the meaning they have in common usage and to give these regulations their most reasonable application. Words used in the singular shall include the plural, and the plural the singular; words used in the present tense shall include the future tense. The

PART III - CODE OF ORDINANCES

Chapter 68 – LANDSCAPING

word "shall" is mandatory and not discretionary. The word "may" is permissive. The phrase "used for" shall include the phrases "arranged for," "designed for," "intended for," and "occupied for."

- (1) Administrator: Director of Planning & Zoning for the City of Richmond Hill, or their designee.
- (2) Arborist - Means an arborist certified by The International Society of Arboriculture.
- (3) Arterial Road – As shown on official map maintained by the City of Richmond Hill.
- (4) Buffer: Any visual buffer or screening required by this ordinance or any other pertinent section of the City of Richmond Hill ordinances or any state or federal law or regulations.
- (5) Caliper: Shall be as defined in the AMERICAN STANDARD FOR NURSERY STOCK ANSI Z60.1 which currently states:

"Caliper measurement of the trunk shall be taken six inches above the ground up to and including four-inch caliper size. If the caliper at six inches above the ground exceeds four inches, the caliper should be measured at 12 inches above the ground."

- (6) Canopy trees (See Appendix E of the Tree Ordinance for specific species within each):
 - a. Large - A tree that will grow to a mature height of at least 50 feet.
 - a. Large canopy trees shall be limited to:
 - i. Oaks (including Live and Laurel)
 - ii. Red Maples (use varieties specifically adapted to the conditions of this region
Example – Acer rubrum 'Franksred')
 - iii. Sycamores
 - iv. Other appropriate species or variety approved by the City.
 - b. Medium - A tree that will grow to a mature height of between 30 - 50 feet.
 - a. Medium canopy trees shall be limited to:
 - i. Lacebark Elms (Allee, etc.)
 - ii. Medium Tree Species Hollies
 - iii. Magnolias
 - iv. Maples (Trident only)
 - v. Palms (Sabal, Washingtonia and Windmill)
 - vi. Redbuds
 - vii. Other appropriate species or variety approved by the City.
 - c. Small - A tree that will grow to a mature height of between 15 - 30 feet.
 - a. Small canopy trees shall be limited to:
 - i. Grape Myrtles
 - ii. Small Tree Species Hollies
 - iii. Wax Myrtles
 - iv. Cherry Laurels
 - v. Palms (Pindo, European Fan, Needle Palm and other palm species approved by the City)
 - vi. Other appropriate species or variety approved by the City.

PART III - CODE OF ORDINANCES

Chapter 68 – LANDSCAPING

- (7) City Arborist - Means an arborist selected by the City as a consultant on decisions/issues concerning trees within the City of Richmond Hill.
- (8) City Manager - Means the City Manager of the City Richmond Hill, Georgia.
- (9) Civil Engineer - Means an engineer licensed under Chapter 15 of Title 43 of The Official Code of Georgia trained in the design and construction of public works.
- (10) Collector Road – As shown on official map maintained by the City of Richmond Hill.
- (11) Director of Planning & Zoning - Means the Director of the Planning & Zoning Department of the City of Richmond Hill, Georgia.
- (12) Landscape Architect - Means a person licensed pursuant to Chapter 23 of Title 43 of The Official Code of Georgia.
- (13) Parking Spaces: the spaces used by employees and/or visitors/users of a building or use on parcel. Loading spaces/zones, fire lanes, truck courts, trailer storage, dedicated display spaces (automobile sales, etc.) shall not be considered as a parking space.
- (14) Planting Season - The time period or season during which newly installed plant material will have the best opportunity for survival. The planting season begins on November 1st and ends on March 31st.
- (15) Proper Pruning - See Tree Ordinance
- (16) Pruning - See Tree Ordinance
- (17) Root Protection Zone – See Tree Ordinance
- (18) Tree - See Tree Ordinance
- (19) Tree Fund - The City of Richmond Hill Tree Protection Escrow Fund, Established to receive funds paid in lieu of required canopy, or for compensation for damage or removal of city owned trees.
- (20) Tree Board - A body established by the Richmond Hill City Council pursuant to the Tree Ordinance to oversee the provisions and enforcement of the Tree Ordinance.
- (21) Tree Planting Specifications – Are included in Appendix C of the Tree Ordinance are to be followed when replanting.
- (22) Zoning Administrator – Person or persons designated by the Director of Planning and Zoning .

Sec. 68-24. - Tree board and Architectural Review Board

- (1) A Tree Board has been created by the adoption of Chapter 67 - Trees.
 - a. The tree board shall hold public hearings on variances regarding the provisions of this chapter, making recommendations upon the same to city council, who shall be the final decider of all variances and appeals arising hereunder.
 - b. To make general and needful recommendations regarding this chapter or any matter pertaining to this chapter to the city council.
 - c. To act on other matters designated by this chapter or by the city council.
- (2) An Architectural Review Board has been created by the adoption of Chapter 2, Article III, Division 4 – Creating and Establishing an Architectural Review Board
 - a. The Architectural Review Board (ARB) shall be integrated into the review process to be the first review of items related to this chapter other than variance request.
 - b. The ARB shall then provide a recommendation for approval or denial to the tree board.
 - c. The City Council shall be the final decision maker on all variances and appeals.

PART III - CODE OF ORDINANCES

Chapter 68 – LANDSCAPING

Sec. 68-25. – Review and permitting procedures

- (1) Pre-application review. Applicants are strongly encouraged to meet with the Architectural Review Board prior to submission of a tree and landscaping plan to discuss design concepts or present a preliminary design for discussion with the Board. Such discussions shall not be binding on the applicant or the Board, are strictly at the option of the applicant, and no official action will be taken by the Board regarding the discussion or presentation. Placement on the Board's agenda shall be scheduled through the zoning administrator
- (2) Upon the filing of an application for a permit, the zoning administrator shall, within 2 business days, determine if the application is complete in all respects as required by this Section. Incomplete applications will be returned to the applicant as though no application had been received, with notice of deficiencies and non-filing.
- (3) Upon the determination that an application is complete, the zoning administrator shall forward copies of the application to the Architectural Review Board.
- (4) Technical review. The zoning administrator shall review all plans and specifications submitted and the premises upon which the trees and landscaping are proposed to be planted with regard to compliance with the technical requirements of this Article and all other ordinances and laws of the city.
- (5) Design review. The Architectural Review Board shall consider the tree and landscaping plan and shall prepare a recommendation for approval, approval with conditions, or denial of the application. The recommendation of the Architectural Review Board will be transmitted to the zoning administrator for inclusion in the zoning administrator's report to the Tree Board.
- (6) The Architectural Review Board will meet twice a month to review submissions from the zoning administrator. The Architectural Review Board will meet on the first and third Wednesdays of the month at 3:30 pm in the city council chambers. Official notification will be given to the public, as required, if days, time or meeting venue changes. The Architectural Review Board will make a recommendation to approve, approve with conditions, or deny the application and such recommendation will be forwarded to the Tree Board for consideration at the next Tree Board meeting.
- (7) Based on review of the permit application and the recommendations of the Architectural Review Board and the Tree Board, the Mayor and Council shall take such action that it deems appropriate to approve, approve with conditions, or deny the application no later than 60 calendar days from the receipt of the complete application. An action to deny an application shall be based on reasons for such denial and stated or submitted in writing for the record.
- (8) Upon approval or approval with conditions by the Mayor and Council, the zoning administrator shall issue a permit accordingly.
- (9) If no decision is made within 60 calendar days by the Mayor and Council, the permit will be deemed granted, unless an extension of time is requested by the applicant or the city, and agreed to by the Mayor and Council prior to the expiration of the 60 day period. Applications that have been denied shall not be resubmitted within fewer than 6 months from the date of denial.

ARTICLE III. - DEVELOPMENTAL REGULATIONS

Sec. 68-31. - Required submissions.

- (1) From and after the effective date hereof, every application for any developmental permit on any covered lands, except land disturbing permits, shall include landscape planting plan, which shall be submitted at the preliminary plat phase of any residential development or the site plan phase of any other development. At the designer's discretion, such landscape plan may be included on or in addition to the required plans from Chapter 67 – Trees.

PART III - CODE OF ORDINANCES

Chapter 68 – LANDSCAPING

- (2) From and after the effective date hereof, every applicant shall submit, at the final plat approval phase of any residential development or the final approval phase of any other development, the following:
 - a. A Tree and Landscape Performance Bond, if the required improvements are not completed or cannot be completed.
 - b. A Two Year Tree and Landscape Maintenance Bond.

Sec. 68-32. - Requirements of submissions.

- (1) The landscape plan shall include the location, botanical name, common name, quantity and size of all proposed plantings and shall be prepared by a landscape architect or other design professional authorized by Georgia state statute to prepare planting plans. Additionally, the plan shall include summary plant schedules, charts and notes as necessary to clearly prove conformance with any applicable planting requirement for the site. The general landscape installation standards defined within this ordinance shall be included as notes on the plans.

Sec. 68-33 Specific Landscaping Standards

- (1) Buffers
 - a. Perimeter Buffer:
 - i. Determination of buffer requirements between residential, commercial, industrial and other zones. When two adjoining properties are in dissimilar residential, commercial, industrial, or other zone districts, the property within the zone district allowing more intensive uses is required to provide the buffer when acquiring a site development permit unless the buffer is preexisting and deemed adequate by the City Council. All such buffers shall fully meet the buffer requirements shown in Table III, "Perimeter Buffer Requirements between Dissimilar Zones." The codes shown on Table III are defined below. When two adjoining vacant parcels are in dissimilar zone districts, no buffer is required when the parcel zoned for less intensive use acquires a site development permit. In calculating the area dedicated to meeting the following requirements, areas dedicated drainage ditches, easements or rights-of-way shall not be included. Should a easement or right of way separate parcels of differing buffer requirements, the buffering requirement for the more intense use shall be provided.
 - 1.1. Buffer requirement. The required buffer shall consist of plantings or a fence, a wall (not otherwise part of a structure or accessory structure), or a berm, which meets the standards of subsection (ii), this section. If plantings are chosen method of screening, the planted area shall have a minimum width of 12 feet.
 - 1.2. Buffer requirement. The required buffer shall have not less than a 20-foot width and shall consist of plantings plus a fence (painted dark green), a wall (not otherwise part of a structure or accessory structure), or a berm, or any combination thereof, which meets the standards of subsection (ii), this section.
 - 1.3. Buffer requirement. The required buffer shall consist of a 50-foot building setback from the adjoining property line containing not less than a 20-foot width consisting of plantings plus a fence (painted dark green), a wall (not otherwise part of a structure or accessory structure), or a berm or any combination thereof, which meets the standards of subsection (ii), this section.
 - 1.4. Buffer requirement. The required buffer shall consist of a 100-foot building setback from the adjoining property line containing not less than a 20-foot width consisting of planting plus a fence, a wall (not otherwise part of a structure or accessory structure), or

PART III - CODE OF ORDINANCES

Chapter 68 – LANDSCAPING

a berm, or any combination thereof, which meets the standards of subsection (ii), this section.

1.5. Buffer requirement. The required buffer shall consist of a 200-foot building setback from the adjoining property line containing not less than a minimum 75-foot width consisting of plantings plus a fence, a wall (not otherwise part of a structure or accessory structure) or a berm or any combination thereof, which meets the standards of subsection (ii), this section. The 75-foot vegetated buffer shall be immediately adjacent to the property line. This buffer shall extend along and be contiguous with the entire property line between the dissimilar uses, abutting the commercial or industrial facilities plus 100 feet in each direction beyond the facilities.

TABLE III. PERIMETER BUFFER REQUIREMENTS BETWEEN DISSIMILAR ZONES

ZONE	R-1	R-2	R-3	RMHD	C-1	C-2	C-3	C-4	I-1	I-2	CP	FH	AG
R-1	—	—	1.1	1.2	1.1	1.3	1.3	1.4	1.5	1.5	—	—	—
R-2	—	—	1.1	1.1	1.1	1.3	1.3	1.4	1.5	1.5	—	—	—
R-3	1.1	1.1	—	1.1	1.1	1.3	1.3	1.4	1.5	1.5	1.1	—	1.1
RMHD	1.2	1.1	1.1	—	1.2	1.3	1.3	1.4	1.5	1.5	1.1	—	1.2
C-1	1.2	1.2	1.2	1.2	—	1.1	1.2	1.2	1.2	1.2	1.2	—	1.2
C-2	1.3	1.3	1.3	1.3	1.1	—	1.2	1.2	1.2	1.2	1.3	—	1.3
C-3	1.3	1.3	1.3	1.3	1.2	1.2	—	1.1	1.2	1.2	1.4	—	1.3
C-4	1.4	1.4	1.4	1.4	1.2	1.2	1.1	—	1.2	1.2	1.4	—	1.3
I-1	1.5	1.5	1.5	1.5	1.2	1.2	1.2	1.2	—	—	1.5	—	1.5
I-2	1.5	1.5	1.5	1.5	1.2	1.2	1.2	1.2	—	—	1.5	—	1.5
CP	—	—	1.1	1.1	1.2	1.3	1.4	1.4	1.5	1.5	—	—	—
FH	—	—	—	—	—	—	—	—	—	—	—	—	—
AG	—	—	1.1	1.2	1.2	1.3	1.3	1.3	1.5	1.5	—	—	—

Short Definitions of Buffer Codes Used on Chart

- 1.1 = 12-foot planted buffer, wall, or earthen berm
- 1.2 = 20-foot planted buffer, wall, or earthen berm
- 1.3 = 50-foot building setback with 20-foot planted buffer, wall, or earthen berm
- 1.4 = 100-foot building setback with 20-foot planted buffer, wall, or earthen berm
- 1.5 = 200-foot building setback with 100-foot buffer with 75 feet vegetated, includes an earthen berm or wall as determined by the planning commission

PART III - CODE OF ORDINANCES

Chapter 68 – LANDSCAPING

- ii. Perimeter buffer screening standards. Screening is a method of visually shielding or obscuring one use from another by fences, walls, berms or densely planted vegetation.
 - a) Plantings. Plantings shall consist of either trees or shrubs or any combination of both. Planted areas shall be located along the abutting property lines or in areas that will provide the best screening effectiveness.
 - 1. If plant material is used solely as the screening device, they shall be an evergreen species, which under normal growing conditions will attain a minimum height of eight feet. The spacing of such plant material shall be such that within three years the plantings should create a continuous opaque screen. Such spacing shall be subject to review and approval by the City.
 - 2. The following minimums shall apply to buffer plantings:
 - a. 15 evergreen large shrubs per 1,000 square feet of buffer (Shrubs shall initially be of any size, which would normally attain a minimum height of six feet within three years after planting)
 - b. 6 small or medium canopy trees per 1,000 square feet of buffer
 - c. 2 large canopy trees per 1,000 square feet
 - 3. Nothing included herein is intended to require existing adequately vegetated buffers areas to be cleared or thinned / under-brushed in order to meet the buffer requirements. However, should existing vegetation be proposed to meet the planting requirements of this section not be adequate after construction, additional plant material will be required.
 - b) Walls. Walls shall be constructed in durable fashion of masonry materials on both sides of the wall and be a minimum height of eight feet. The wall shall be placed on the edge of the minimum planted buffer area nearest the most intense land use.
 - c) Fences. Fences shall be a minimum of eight feet in height and constructed in a durable fashion of standard pressure treated wood fencing materials (but not woven wooden fences) and methods that will provide 90 percent visual blockage. The fence shall be placed on the edge of the minimum planted buffer area nearest the most intense land use and the finish side of the fence shall face the abutting property.
 - d) Berms. Earthen berms shall have a maximum slope of 3:1 and shall undulate and not be in a static, straight line. Berms shall be stabilized with landscaping to prevent erosion. If the earthen berms cannot reach a minimum height of eight feet, then a combination of fence and berm can be utilized to reach an eight feet minimum height.
 - e) In addition to the previously listed buffer requirements, buffers are also required between residential areas and Interstate 95. Residential developments which are located along or adjacent to Interstate 95 must be buffered from the Interstate 95 traffic noise. A masonry wall, berm, landscaping, or combination of these elements shall be built between the residential area and Interstate 95. The height of the buffer will not be less than 20 feet above the grade of the Interstate 95 highway. The city council must approve any such buffer. Additionally, any such buffer wall within a residential development must be landscaped on the residential side with plantings that screen the wall from adjacent properties.

PART III - CODE OF ORDINANCES

Chapter 68 – LANDSCAPING

- f) In addition to the previously listed buffer requirements, buffers are also required between commercial and industrial areas and Interstate 95. A buffer of 50 feet shall be maintained along the entire property frontage along the Interstate public right of way. The buffer must remain untouched except to allow access into and out of the property, allow for signage and entry statements and to clean up diseased, dead or invasive species. Should the existing vegetation not provide an adequate buffer, additional supplemental plantings, berms, etc. may be required.
- iii. Buffer design. All buffers required by this article shall conform to the following specifications:
 - a) Where required, landscape and tree plans shall be required to show the types and locations of all plantings within a required buffer.
 - b) Landscaping within buffer areas shall be used to screen objectionable views or nuisances, such as parking and service areas, refuse containers, air conditioning units and transformers.
 - c) Existing on site trees may be credited as meeting the requirements of this article if the building inspector determines that such plant materials achieve the purposes of this article.
- iv. Location of buffers. Buffers shall be located on the outer perimeter of a lot or parcel along all lot lines adjoining dissimilar zones including adjacent property lines, which may be separated by an existing or proposed public right-of-way. Buffers shall not be located on any portion of existing, dedicated, or reserved public or private street right-of-way.
- v. Variances. The requirements of this article may be waived by the City Council under any of the following conditions:
 - a) If it is clearly demonstrated that the existing topography and/or vegetation will achieve the purposes of this article.
 - b) If it is clearly demonstrated that for topographic reasons, no required screening device could possibly screen the ground level activities of the use from the first floor view of the residential structure abutting the use.
 - c) The adjoining property owners mutually agree in writing that the required buffer is not necessary for a satisfactory use and enjoyment of their property rights, and such agreement is made and recorded as a covenant running with each parcel or parcels of land.
 - d) It is clearly demonstrated that an existing (or proposed) public right-of-way separation between adjoining properties will achieve the purposes of this article.
- vi. Use of buffers. A buffer may be used for some forms of passive recreation such as pedestrian, bike, or equestrian trails, or as a Stormwater retention, detention or water quality area provided that:
 - a) no planted materials shall be eliminated; and
 - b) the total width of the required buffer area shall be maintained.
- vii. Maintenance. The responsibility for maintenance of buffers shall remain with the owner of the property. Any required plant that has died shall be replaced. Maintenance of planted areas shall consist of mowing, removal of litter and dead plant materials, and necessary pruning. Fences and walls shall be kept in a condition that meets the requirements of this article.

PART III - CODE OF ORDINANCES

Chapter 68 – LANDSCAPING

- viii. Failure to comply with these provisions. See article VII, section 13 of the zoning ordinance for enforcement and penalty provisions.
- ix. Surety for buffer installation. When the date for issuing a certificate of occupancy does not coincide with the planting conditions that are necessary to install a required buffer, the zoning administrator shall accept an acceptable surety for the buffer installation. Such surety shall be considered to be part of the Tree and Landscape Performance Bond per Sec. 68-61 (2) and 68-61 (3).
- x. Notice to purchasers. When any lot within the city that requires a buffer under this section is conveyed to the initial purchaser by the developer, the developer shall include in the deed or other instrument of conveyance a covenant, running with the land, making the conveyance subject to the provisions of subsections (F), (G) and (H) of this section.

b. Street Yard Buffers:

In order to protect and enhance the beauty and aesthetics of properties within the City of Richmond Hill when viewed from public right of ways, the following standards shall be required.

- i. Non-Residential (Commercial, Industrial, Civic, etc.) and Multifamily Uses are to be buffered from adjacent road right of ways.

- a) For all development fronting on arterial roads the following standards shall apply:

- 1. A minimum 25 foot wide landscaped buffer shall be established parallel to the entire front of the property along the road right-of-way.

- a. Should easements parallel the right of way frontage that preclude the ability to plant the requirement below, the 25' buffer shall be in addition to the easement width. (Example: A 15' power easement directly adjacent to the right of way that would not allow trees planted within it would require the 25' buffer to start inside the property once outside the easement for a total of 40' required)

- 2. The buffer shall include:

- A street yard large canopy tree (Live Oak preferred) at a maximum spaced distance of fifty (50') feet on center (o.c.) for the entire lot frontage. For areas where overhead utilities exist that preclude planting large trees, groups of 3 small canopy trees shall be provided for every one large tree required.
- 6 small canopy trees (Crape Myrtle preferred) or palms for every one hundred (100 l.f.) linear feet of lot frontage.
- A double row, staggered evergreen shrub hedge or otherwise approved continuous grouping of evergreen shrubs planted along the lot frontage planted at a minimum of 2.5' o.c. and a species capable of being maintained at a 3' height within 2 years of planting.



Street Yard Buffer with canopy trees and a continuous hedge.

PART III - CODE OF ORDINANCES

Chapter 68 – LANDSCAPING

- Vehicular entrances should be planted using a mixture of trees, shrubs and groundcovers that will create a sense of arrival. The use of massings of flowering and other ornamental plant species such as knockout roses, ornamental grasses and annuals is strongly encouraged. A minimum of 200 square feet shall be planted on each side of the entrance.
- b) For all development fronting on collector roads the following standards shall apply:
1. A minimum 15 foot wide landscaped buffer shall be established parallel to the entire front of the property along the road right-of-way.
 - a. Should easements parallel the right of way frontage that preclude the ability to plant the requirement below, the 15' buffer shall be in addition to the easement width. (Example: A 15' power easement directly adjacent to the right of way that would not allow trees planted within it would require the 15' buffer to start inside the property once outside the easement for a total of 30' required)
 2. The buffer shall include:
 - Large canopy trees (Live Oak preferred) at a maximum spaced distance of fifty (50') feet on center (o.c.) for the entire lot frontage. For areas where overhead utilities exist that preclude planting large trees, groups of 3 small or medium canopy trees shall be provided for every one large tree required.

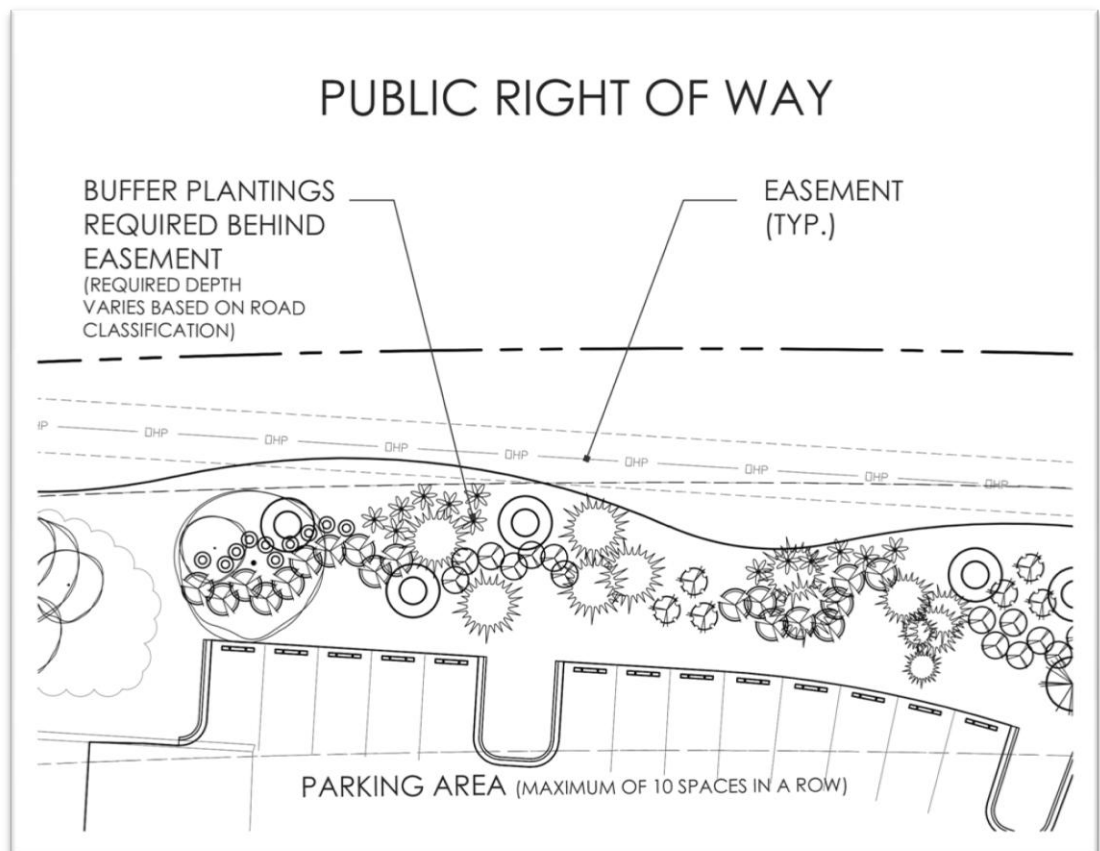


Figure 1 – BUFFER WITH ADJACENT EASEMENT EXAMPLE

PART III - CODE OF ORDINANCES

Chapter 68 – LANDSCAPING

- A double row, staggered evergreen shrub hedge or otherwise approved continuous grouping of evergreen shrubs planted along the lot frontage planted at a minimum of 2.5' o.c. and a species capable of being maintained at a 3' height within 2 years of planting.
 - Vehicular entrances should be planted using a mixture of trees, shrubs and groundcovers that will create a sense of arrival. The use of massing of flowering and other ornamental plant species such as knockout roses, ornamental grasses and annuals is strongly encouraged. A minimum of 200 square feet shall be planted on each side of the entrance.
- c) The buffer shall contain only landscaping materials, except for the uses listed below:
1. Walls and fences less than five feet in height (white rail fencing similar to that used at the Ford Plantation shall be encouraged);
 2. Vehicular access drives placed approximately perpendicular to the right-of-way;
 3. Electrical, telephone, gas, water supply, sewage disposal, and other utilities may be constructed pass through or across the required buffer area. If the installation of such services impacts the requirements of this ordinance, additional landscaping and/or buffer area may be required to meet the intent and standards of this Section.
 4. Foot and bicycle paths (including sidewalks);
 5. Landscaping sculpture, lighting fixtures, trellises, pedestrian amenities and arbors;
 6. Bus / transit shelters; and
 7. Signage.
 8. Berming or mounding of soil.
 9. Bioretention and other heavily vegetated Stormwater BMPs.
- d) When calculating lot frontage, driveways / entrances and required sight triangles may be subtracted out from the linear foot total.
- e) Where existing or created lagoons and drainage swales will occupy a substantial portion of the highway buffer, additional buffer depth may be required to achieve the intent of this Section.
- f) Any area not otherwise planted shall be sodded.
- g) The minimum planted size for each plant type within required street yard buffers shall be:
1. Large Canopy Trees - 3" Caliper minimum with a 16' height minimum.
 2. Medium Canopy Trees - 2" Caliper minimum with a 10' height minimum. Multi-stemmed trees shall be a minimum of 10' height with a minimum caliper of 1" on any cane of the multi-stem.
 3. Small Canopy Trees – 1 1/2" Caliper minimum with a 6' height minimum. Multi-stemmed trees shall be a minimum of 6' height with a minimum caliper of 1/2" on any cane of the multi-stem.

PART III - CODE OF ORDINANCES

Chapter 68 – LANDSCAPING

4. Palms – Large -10' Clear Trunk height minimum. Medium - 6' Clear Trunk height minimum. Small – 4' Clear Trunk height minimum.
 5. Shrubs – Containerized in the appropriate size to provide a minimum 24" height plant at installation.
- ii. Single Family Residential Subdivisions and Silviculture (Timbering) uses are to be buffered from adjacent road right of ways. The following standards shall apply:
- a) Buffer. A buffer of 50 feet shall be maintained along the entire property frontage along a public right of way. Buffers for single family residential subdivisions may be reduced to 35 feet if all lots which back up to the buffer include a 15 foot landscape easement. The buffer must remain untouched except to allow access into and out of the property, allow for signage and entry statements and to clean up diseased, dead or invasive species. Should the existing vegetation not provide an adequate buffer, additional supplemental plantings, berms, etc. may be required.

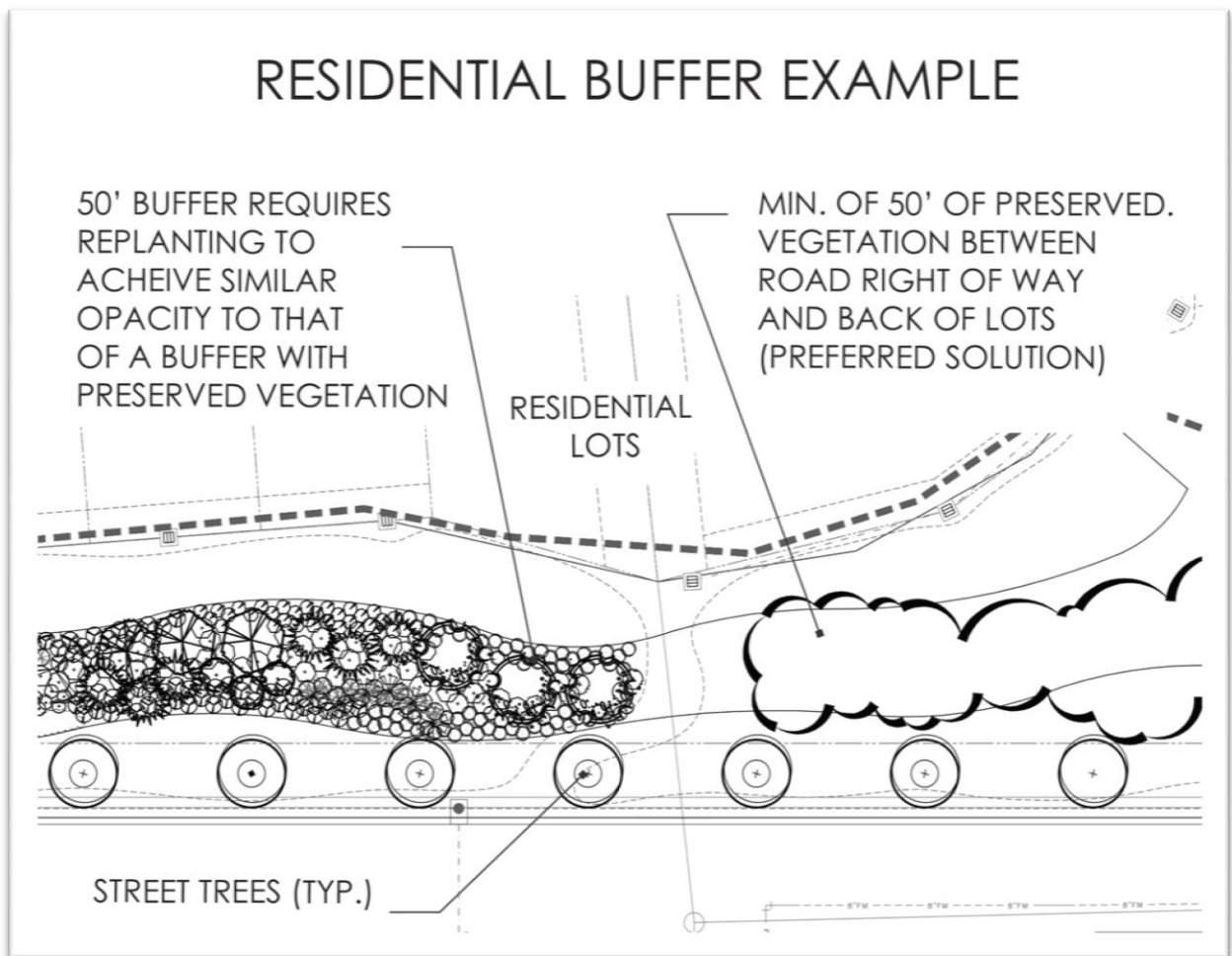


Figure 2 – RESIDENTIAL BUFFER EXAMPLE

PART III - CODE OF ORDINANCES

Chapter 68 – LANDSCAPING

(2) Parking Lot Landscaping

- a. All parking areas that are visible from the public right-of-way shall be screened to minimize the visual impact of parked vehicles by landscaped areas that include a mixture of trees and shrubs.
- b. The following landscaping requirements shall apply for parking lots:

- i. Landscaped peninsula. A landscaped peninsula a minimum of 15' wide shall be installed parallel to the parking spaces every 10 ten or fewer spaces, and at the end of the parking aisle in order to separate the last space from any adjacent travel-ways. Each landscaped peninsula shall contain one large growing variety crape myrtle (ex. Tuscarora, Natchez, etc.) meeting the standards of a medium size multi-stem tree contained herein. Large canopy trees (Sycamore, Red Maple, etc.) with a minimum size of 3" caliper and a minimum height of 16 feet shall be planted in the medians of parking lots (See the example Landscape Plan in the Department of Planning and Zoning).



Large variety crape myrtle within a parking island.

- a. If overhead utilities preclude the planting of a large tree, small or medium trees and / or palms shall be planted at a ratio of one medium tree to one large tree required or two small trees and / or palms to every one large tree required.
- b. If the parking space adjacent to the landscaped peninsula is paved with a pervious surface, the landscape island may be reduced to 10' wide.
- c. Alternatives to the strict application of the maximum of ten spaces in a row may be considered where practices such as preservation of existing trees are proposed.

- ii. All medians and peninsulas shall have soil suitable for vigorous plant growth to a minimum depth of 24". The top of grade for the center of all medians and peninsulas shall be mounded to a height of 12" above adjacent curb or edge of pavement. The practice of placing unsuitable, muck / clay soils in these areas is prohibited. Any islands that have been compacted during construction shall have the compacted soil removed and replaced with appropriate soil capable of allowing vigorous plant growth. The City reserves the right to inspect the soil within these areas at any time and should the soils be found to be substandard, the soils, plantings, mulch, etc. will require removal and replacement as necessary to be in conformance. A note stating these soil requirements shall be included on all landscape plans.



An example of thriving live oak within a tree island of a reduced width with pervious parking adjacent.

PART III - CODE OF ORDINANCES

Chapter 68 – LANDSCAPING

- iii. All medians and peninsulas shall be planted with low growing shrubs and/or groundcovers.
- iv. All medians shall be provided with a water source meeting the standards required herein for adequate water availability.
- v. All medians and peninsula plantings shall be protected from vehicle bumpers with curbing, wheel stops or other appropriate means of protection.

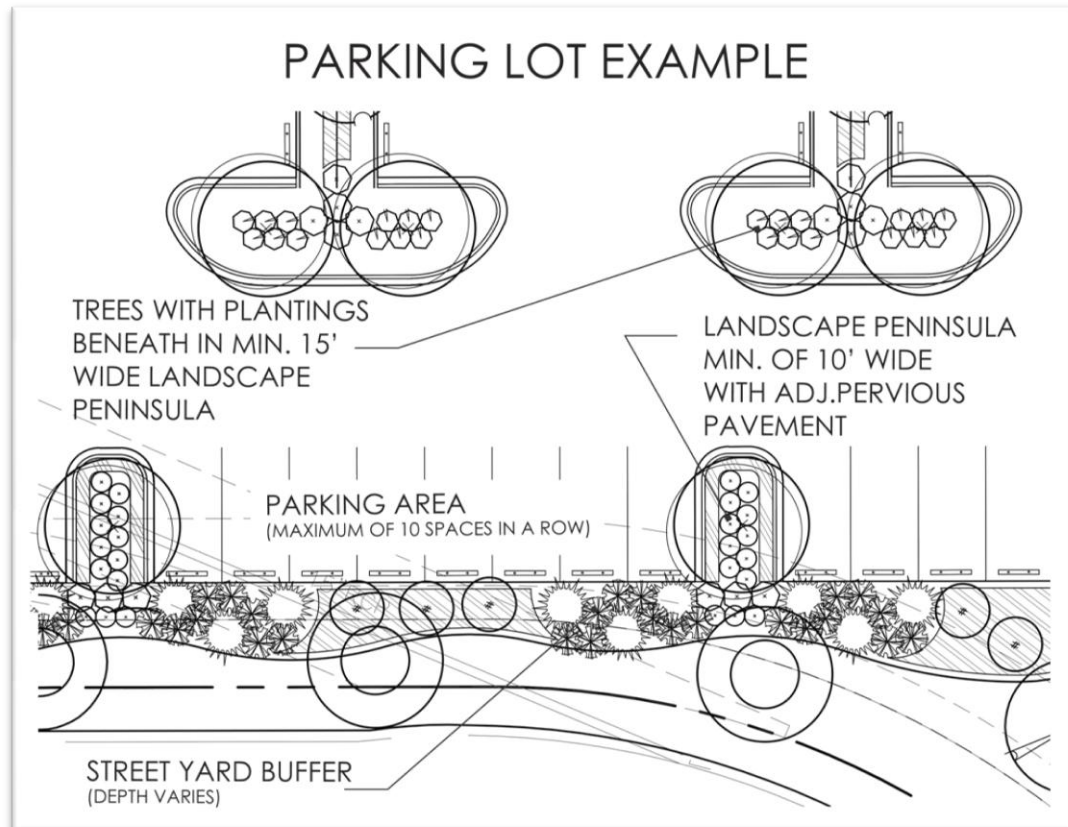


Figure 3 – PARKING LOT EXAMPLE

- (3) Foundation plantings for non-residential and multifamily uses.
- a. Except when a build-to line, minimum setback, etc. makes the provision of foundation plantings impractical, a foundation planting area averaging 8 square feet per linear foot of façade shall be provided along all facades facing a public street.
 - b. Adjacent sidewalks shall be additional to and not included within this area.
 - c. The foundation planting shall incorporate a mixture of trees, shrubs, and ground covers in order to soften the building façade. At a minimum, one tree or palm and 10 shrubs shall be planted for every 40 linear feet of façade to create a vertical element.
 - d. Foundation plantings shall not be required along any building elevation or portion thereof that contains only service, drive-thru and/or delivery areas.



Foundation plantings with vertical accent plantings.

PART III - CODE OF ORDINANCES

Chapter 68 – LANDSCAPING

- (4) Screening of Storage, Service and Dumpster Areas
- a. Such areas shall be adequately screen with permanent vegetation and walls when visible from adjacent properties or public right-of-way.
 - i. The design of a screening wall shall be the same architectural style as the principal building or buildings on the lot.
 - ii. Except where otherwise allowed by these regulations, any wall shall be opaque so as to prevent the passage of light and debris, and shall be constructed of textured or split-faced block, brick, stone, stucco over concrete block, architectural tile, or similar opaque materials. Unfinished concrete block shall not be permitted.
 - iii. The height of a wall shall be adequate to block view to the area being screened, but shall not exceed eight feet, except as allowed by other subsections of this subsection
 - iv. The height of a wall shall be measured from the finished grade at the base of the wall to the top of the fence or wall, but shall not include columns or posts.
 - v. Walls shall be interrupted at intervals not exceeding 25 feet by architectural features such as pilasters or columns or by various species of plants that are at least as tall as the wall or taller.
 - vi. Such walls shall be setback a minimum of 5' from any adjacent property lines unless otherwise approved by the City.
 - b. Additionally, a continuous evergreen planting shall be provided that at maturity will screen at least 75% of the wall face area.

Sec. 68-33. - Deviations from plans.

At any time after the approval of any landscape plan or associated bond, a developer, builder or owner shall have the right to amend the proposed plan. Approval for deviations from the approved plan shall follow the same steps as changes or revisions to any other required development / site plans within the City.

Secs. 68-34 - 68-40. - Reserved.

PART III - CODE OF ORDINANCES

Chapter 68 - LANDSCAPING

ARTICLE IV. – LANDSCAPE MATERIAL REGULATIONS

Sec. 68-41. - General Landscape Material Standards

- (1) The following standards apply as a minimum to all newly planted landscape areas.
 - a. Native and regionally appropriate plant species are required. Invasive species, as identified by the United States Forest Service, the University of Georgia or included as prohibited within Chapter 67 are prohibited from being planted in Richmond Hill. Further, the Richmond Hill encourages the replacement of invasive species with desirable hardwood species.
 - b. All plant and tree material shall meet the American Standard for Nursery Stock standards that are published by and available from the American Association of Nurserymen.
 - c. Tree and landscape materials selected for planting must be free from injury, pests, disease, nutritional disorders or root defects, and must be of good vigor in order to assure a reasonable expectation of survivability.
 - d. Tree species diversity requirements of Chapter 67 shall be met on a site wide basis.
- (2) The following standards apply to all plantings except those within Street Yard Buffer areas and Parking Lot plantings.
 - a. Large and Medium Canopy Tree species shall be a minimum of 12 feet in height and have a caliper of at least 2 inches at time of planting. . Multi-stemmed trees shall be a minimum of 10' height with a minimum caliper of 1" on any cane of the multi-stem.
 - b. Small Canopy Tree species shall be a minimum of 6 feet in height and have a caliper of at least 1 inch at time of planting. . Multi-stemmed trees shall be a minimum of 6' height with a minimum caliper of 1/2" on any cane of the multi-stem.
 - c. Palms – Large -10' Clear Trunk height minimum. Medium - 6' Clear Trunk height minimum. Small – 4' Clear Trunk height minimum.
 - d. Shrubs shall be a minimum of 18 inches in height and width at time of planting.

Sec. 68-42. General Landscape Installation Standards

- (1) Tree and landscape materials shall be installed according to standards established by the American National Standards Institute (ANSI).
- (2) Root barriers shall be installed within tree lawns less than 7 feet between the back of curb and the sidewalk to prevent root penetration and destruction of infrastructure.
- (3) Large and medium trees shall not be planted underneath or directly adjacent to overhead power lines and shall be a minimum of 10' off of any building or underground utility unless root barrier is used.
- (4) Small trees and palms shall be a minimum of 5' off of any building or underground utility.
- (5) All trees and landscaped areas shall be provided with a means for delivery of water in a quantity that is sufficient to establish and maintain the viability of the plants.
 - a. In ground irrigation systems installed which supply water to all newly planted trees and plant material shall result in a 50% reduction of the landscape establishment bond.
 - b. A water supply is not required for areas of established trees and other vegetation that are retained, provided that site grading or development activities will not result in damage to said areas.

PART III - CODE OF ORDINANCES

Chapter 68 - LANDSCAPING

- c. While an automatic irrigation system is preferred, at a minimum all required plantings must be within 100 feet of a permanent water source. Newly-established plantings require water for growth and benefit from a supplemental source of water to natural rainfall, especially during drought conditions.
- d. If an irrigation system is provided, it shall include a rain sensor, weather sensor or other means of automatic shut off when irrigation is not necessary due to actual climatic conditions.

Sec. 68-43. General Landscape Maintenance Standards

- (1) All plant material shall be maintained in good condition at all times in accordance with standards established by ANSI. All plantings that die or are destroyed must be replaced, during the next suitable planting season.
- (2) Attaching lights, signage, fence rails, and any other items to trees is strictly prohibited.
- (3) From and after the effective date hereof no person, firm, corporation or other entity shall trim, prune, cut, excavate near, dig or trench near, or otherwise disturb any tree on any property owned or controlled by the city and subject to this chapter without strictly complying with section 41 of Chapter 67 – Trees.

Secs. 68-44 - 68-50. - Reserved.

PART III - CODE OF ORDINANCES

Chapter 68 - LANDSCAPING

ARTICLE V. - EXEMPTIONS

Sec. 68-51. - Exempted activities.

- (1) The following activities shall be entirely exempt from the specified provisions of this chapter:
 - a. The building of a single-family residential structure on a single lot that is not part of a larger development shall be exempt from the developmental regulations of this chapter.
 - b. With the exception of street yard buffering, all lands dedicated exclusively to silviculture shall be totally exempt from this chapter for so long as such lands remain totally devoted to silviculture.

PART III - CODE OF ORDINANCES

Chapter 68 - LANDSCAPING

ARTICLE VI. –CERTIFICATE OF OCCUPANCY & MAINTENANCE REQUIREMENTS

Sec. 68-61 Requirements for Certificate of Occupancy for Non-Residential & Multi-Family

- (1) Requirements for certificate of occupancy for non-residential and multi-family developments.
 - a. A. Final Inspection. The Administrator or designee shall make a Final Inspection of trees and landscaping for completeness prior to issuance of the Certificate of Occupancy. The installed plan shall match the approved Plan.
- (2) Tree and Landscape Performance Bond
 - a. The Owner shall post a Tree and Landscape Performance Bond in the amount of 125% of the approved estimate for tree and/or landscape installation which cannot be planted because of continued construction, weather, plant availability or other approved delay. The bond shall be posted with the City of Richmond Hill. A deadline for completion of work shall be scheduled with the City.
 - b. The Administrator shall make a final inspection of the trees and landscaping at the scheduled completion of work. If work has been completed, the Tree and Landscape Performance Bond shall be refunded. If the landscaping is not complete at the scheduled deadline, the Tree and Landscape Performance Bond shall be withheld based upon the amount of work incomplete.
- (3) Two Year Tree and Landscape Maintenance Bond
 - a. A Two Year Tree and Landscape Maintenance Bond in the amount of 10% of the approved estimate for the total landscaping shall be posted with the City of Richmond Hill after the administrator or designee gives an approval of the trees and landscaping at the Final Inspection and prior to issuance of the Certificate of Occupancy.
 - b. Two years after the date of the bond, the Administrator or designee will inspect the site and make a determination of whether the required trees and landscaping are viable, in which case the bond will be released. If deficiencies are found, the owner of the property shall be notified to correct the deficiencies within 90 days. If the deficiencies are not corrected in 90 days, the City shall use the bond to the extent necessary to bring the property into compliance with the provisions of this chapter.

Sec. 68-62. - Maintenance and Perpetual Compliance

- (1) Maintenance.
 - a. All trees and landscaping required per this Chapter shall be maintained according to industry standards. All pruning shall be done in accordance with ANSI A-300-1995 or most recent edition.
- (2) Perpetual Compliance.
 - a. All sites are required to remain in compliance with the requirements for development of this chapter and are subject to inspection by the City for this purpose. If deficiencies are found, the owner of the property shall be notified to correct the deficiencies within 90 days. If the deficiencies are not corrected in 90 days, the City will seek administrative or judicial relief, as appropriate.

Secs. 68-63 - 68-70. - Reserved.

PART III - CODE OF ORDINANCES

Chapter 68 - LANDSCAPING

ARTICLE VII. - VARIANCES

Sec. 68-71. - Variances.

- (1) Any person affected by this chapter may petition the Planning Commission for a variance from the strict application of any provision or provisions of this chapter. Such application shall proceed as follows:
 - a. The application shall be made upon a form provided by and approved by the Zoning Administrator.
 - b. The Planning Commission shall hold a public hearing on such application after due notice to the applicant.
 - c. At such hearing, the applicant may be represented by an attorney and shall be given the opportunity to cross examine any adverse witnesses and present witnesses and other evidence on the applicant's behalf.
 - d. The Planning Commission, upon considering all evidence and input at the public hearing, shall make a decision on whether or not to recommend approval of such variance to city council based upon the following criteria:
 - i. That there are unique physical circumstances or conditions beyond that of surrounding properties or exceptional topographical or other physical conditions peculiar to the particular property.
 - ii. Failure to grant a variance would result in practical difficulties and exceptional hardship.
 - iii. That granting a variance would not adversely impact the overall purpose and intent of this chapter.
 - e. Upon receipt of the recommendation of the Planning Commission, city council shall be the final decider of all variance applications, and shall apply the same criteria.
 - f. Although city council shall have full and complete power to grant any variance from the provisions of this chapter under the procedure and criteria set forth above, if such variance involves the payment of money in lieu of the planting of trees, shrubs, etc. in any common area, or the planting of replacement trees, shrubs, etc. at another location, then the variance shall be granted only under the following conditions:
 - i. The required number of trees, shrubs, etc. planted offsite in lieu of onsite site planting shall be three times the number of required to meet the onsite planting requirement. The required planting location must be approved by the city council.
 - ii. If a cash payment is to be made in lieu of the required tree improvements, the amount shall be set by council with the advice of the city arborist after considering the criteria contained in this chapter for the setting of bond amounts.

Secs. 68-72 - 68-80. - Reserved.

PART III - CODE OF ORDINANCES

Chapter 68 - LANDSCAPING

ARTICLE VIII. - ADMINISTRATIVE AND OTHER MATTERS

Sec. 68-81. - Violations and penalties.

Property in violation of this chapter shall be subject to a citation or stop work order and/or fines and penalties not to exceed \$100.00 day, with the amount being determined by the city municipal court judge, until such time as the remedial actions have been satisfied as follows:

- (1) Where trees, shrubs, etc. have been removed in violation of this chapter, the city shall stipulate the planting of replacement plant material on site or off site, at the city's discretion, of which no more than 15 percent of any one species shall be permitted for replacement. Species must be native or non-invasive, regionally adapted and comply with the acceptable city planting list, and all other city standards, and shall not be on the prohibited species list.

Sec. 68-82. - Administration and enforcement.

The ARB and city tree board shall administer this chapter, except where specific authority is given to another city office as set forth in this chapter.

Sec. 68-83. - Fees.

The fees associated with the review of the plans required herein shall be included in the required fees for Tree Ordinance compliance review.

Sec. 68-84. - City tree fund.

- (a) There is hereby created a city tree fund for the purpose of receiving money paid to the city in lieu of required tree, shrub, etc. plantings in common areas not slated for private individual ownership.
- (b) The fund will be used by the city to plant trees / plant material and pedestrian hardscapes on public rights-of-way, easements, or other public property as deemed suitable by the City **Council**.

Sec. 68-85. - Severability.

Should any part or provision of this chapter be declared by a court of the competent jurisdiction to be invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof other than the part held to be invalid.

Sec. 68-86. - Indemnification.

Nothing in this chapter shall be deemed to impose any liability upon the City of Richmond Hill, or upon any of its officers or employees, or to relieve the owner or occupant of any private property from the duty to keep in safe and healthy condition the trees and other plantings upon their property or upon a public right-of-way adjacent to or over their property.

PART III - CODE OF ORDINANCES
Chapter 68 - LANDSCAPING

Other Photo Examples:



Entrance Focus Areas



Large Canopy Trees within parking lots (Shumard Oak and Sycamore shown)



Crape Myrtles with white rail "Ford Plantation" style fencing.

PART III - CODE OF ORDINANCES

Chapter 68 - LANDSCAPING



Acceptable alternative foundation plantings to allow store front windows.



Palms in lieu of large canopy tree within parking lot.

PART III - CODE OF ORDINANCES

Chapter 68 - LANDSCAPING

Section 2. All ordinances or parts of ordinance in conflict with this ordinance are, to the extent of such conflict, hereby repealed.

Section 3. This Ordinance shall be effective upon its adoption.

SO ORDAINED, this ____ day of _____, 2014.

MAYOR

Attest:

City Clerk